

5830
26 Nov 18

From: (b) (6)(b) (6)(b) (6) USN
To: Commanding Officer, Recruit Training Command
Subj: COMMAND INVESTIGATION INTO THE CIRCUMSTANCES SURROUNDING
THE ALLEGATIONS OF FRATERNIZATION BETWEEN (b) (6)(b) (6)(b) (6)
AND (b) (6)(b) (6)(b) (6)
Ref: (a) JAGMAN (2012)
(b) R.C.M. 303
(c) OPNAVINST 5370.2D
Encl: (1) Appointing Order dated 8 Nov 18
(2) Statement of (b) (6)(b) (6)(b) (6) to (b) (6)(b) (6)(b) (6) dated 7 Nov 18
(3) Statement of (b) (6)(b) (6)(b) (6) to (b) (6)(b) (6)(b) (6) dated 16 Nov 18
(4) Cell phone text messages between (b) (6)(b) (6) and (b) (6)(b) (6)
(5) Suspect's rights acknowledgement ICO (b) (6)(b) (6)(b) (6)
(6) Suspect's rights acknowledgement ICO (b) (6)(b) (6)

Preliminary Statement

1. In accordance with enclosure (1), I was appointed as the Investigating Officer into the circumstances surrounding the allegations of fraternization between (b) (6)(b) (6)(b) (6) and (b) (6)(b) (6). Based on the statements made by (b) (6)(b) (6)(b) (6) enclosures (2) and (3), and the cell phone text message chain (b) (6)(b) (6) provided between (b) (6)(b) (6) and (b) (6)(b) (6) roommate (b) (6)(b) (6) enclosure (4), I did find that there was fraternization between (b) (6)(b) (6)(b) (6) and (b) (6)(b) (6) during the months of August 2018 through October 2018.

Findings of Fact

1. A text message chain between (b) (6)(b) (6) and (b) (6)(b) (6) dated 14 Aug 18. On page 1 of enclosure (4), (b) (6)(b) (6) states to (b) (6)(b) (6)(b) (6) "How did you guess (b) (6)(b) (6)", in response to (b) (6)(b) (6) guessing who (b) (6)(b) (6) has been texting with recently. (b) (6)(b) (6) went on to say, "Well now you know everything." In (b) (6)(b) (6)(b) (6)'s statements, enclosures (2) and (3), (b) (6)(b) (6) noticed in August how (b) (6)(b) (6) was texting a lot with someone named (b) (6)(b) (6) in (b) (6)(b) (6) phone. When (b) (6)(b) (6)(b) (6) asked (b) (6)(b) (6) who it was, (b) (6)(b) (6)(b) (6) told (b) (6)(b) (6) it was someone at the command and (b) (6)(b) (6) knew who it was so (b) (6)(b) (6) didn't want to tell (b) (6)(b) (6).
2. A text message chain between (b) (6)(b) (6) and (b) (6)(b) (6)(b) (6) dated 15 Aug 18. On page 2 of enclosure (4), (b) (6)(b) (6)(b) (6) asked (b) (6)(b) (6)(b) (6) "What are you doing?" (b) (6)(b) (6)(b) (6) replied, "Headed out to meet (b) (6)(b) (6) really quick."

Subj: COMMAND INVESTIGATION INTO THE CIRCUMSTANCES SURROUNDING
THE ALLEGATIONS OF FRATERNIZATION BETWEEN (b) (6)(b) (6)(b) (6)
AND (b) (6)(b) (6)(b) (6)

3. A screen shot of a text conversation on 23 Aug 18 between (b) (6) and (b) (6) sent to (b) (6)(b) (6) from (b) (6)(b) (6)(b) (6). On pages 3 and 4 of enclosure (4), (b) (6)(b) (6) and (b) (6) are discussing the future of their relationship. On page 5 of enclosure (4), (b) (6)(b) (6) and (b) (6)(b) (6) are having a conversation about the screenshot from 23 Aug 18.
4. A screen shot of a text from number 1 (b) (6)(b) (6) to (b) (6)(b) (6)(b) (6) page 6 of enclosure (4). This is (b) (6)(b) (6)(b) (6) phone number and in this screen shot (b) (6) is talking to (b) (6)(b) (6) about the status of their relationship. (b) (6)(b) (6) sent this screen to (b) (6)(b) (6)(b) (6) on 01 Oct 18. On page 7 of enclosure (4), a conversation about the screen shot between (b) (6)(b) (6) and (b) (6)(b) (6)(b) (6) from 01 Oct 18, (b) (6) (b) (6) asked (b) (6)(b) (6) "Who is that?" (b) (6)(b) (6) replied "(b) (6)".
5. A text message chain between (b) (6)(b) (6) and (b) (6)(b) (6)(b) (6) from 07 Oct 18. In enclosures (2) and (3), (b) (6)(b) (6)(b) (6) statements to (b) (6)(b) (6)(b) (6) and (b) (6)(b) (6)(b) (6) (b) (6)(b) (6) describes a day when (b) (6) came home and (b) (6) (b) (6) was having sex with (b) (6)(b) (6). This encounter is mentioned by (b) (6) (b) (6)(b) (6) on page 8 of enclosure (4).
6. A screen shot of a text sent from "(b) (6)" to (b) (6)(b) (6) page 9 of enclosure (4), and a conversation about this screen shot between (b) (6)(b) (6)(b) (6) and (b) (6)(b) (6)(b) (6) on 18 Oct 18, pages 10 and 11 of enclosure (4).
7. A text message chain between (b) (6)(b) (6)(b) (6) and (b) (6)(b) (6)(b) (6) on 23 Oct 18, page 12 of enclosure (4).

Opinions

(
b
)
(
5
)

Recommendation

(b) (5), (b) (6)
(b) (6)
(b) (6)



DEPARTMENT OF THE NAVY
RECRUIT TRAINING COMMAND
3355 ILLINOIS STREET
GREAT LAKES, IL 60088-3127

IN REPLY REFER TO
5800
Ser LGL/L7696
8 Nov 18

From: Commanding Officer, Recruit Training Command
To: (b) (6)(b) (6)(b) (6) USN

Subj: COMMAND INVESTIGATION INTO THE CIRCUMSTANCES SURROUNDING THE
ALLEGATIONS OF FRATERNIZATION BETWEEN (b) (6)(b) (6)(b) (6) AND
(b) (6)(b) (6)(b) (6)

Ref: (a) JAGMAN (2012)
(b) R.C.M. 303

1. This appoints you, per Chapter II of references (a) and (b), you are appointed to conduct a command investigation into the facts and circumstances surrounding the allegations of fraternization between (b) (6)(b) (6) and (b) (6)(b) (6)(b) (6).
2. You will conduct a thorough inquiry into all the circumstances connected with this incident and recommend appropriate administrative or disciplinary actions. Report your findings of fact, opinions and recommendations in letter form by 7 December 2018, unless an extension of time is granted. If you have not previously done so, read reference (a) in its entirety before beginning your investigation.
3. You may seek legal advice from (b) (6)(b) (6) JAGC, USN, during the course of your investigation. (b) (6) may be reached by phone at 847-688-4949 (b) (6) or by email at (b) (6)(b) (6)(b) (6).

(b) (6)

By direction

Copy to:
RTC Legal

I, (b) (6)(b) (6)(b) (6)(b) (6), make the following free and voluntary statement to (b) (6)(b) (6) (b) (6) USN, whom I know to be (b) (6). I make this statement of my own free will and without any threat or promises extended to me. I fully understand this statement is given concerning my knowledge of an incident of fraternization that involves (b) (6)(b) (6)(b) (6) and (b) (6)(b) (6).

(b) (6) and I are roommates. It started with (b) (6) continually texting someone in (b) (6) phone titled (b) (6) and I asked who it was. (b) (6) stated the name stood for (b) (6). They started out texting because (b) (6) was going through issues with (b) (6) Chain of Command at Ship 5. They ran into each other on the sidewalk one day after (b) (6) had an issue at work and (b) (6) noticed something was wrong. (b) (6) described to (b) (6) what was going on and they exchanged numbers so if (b) (6) needed anything else, (b) (6) could reach out to (b) (6). So they were texting constantly and (b) (6) had stated to me that they had started more than just talking about work issues. They met in a park in Waukegan and made out with each other in the car. (b) (6) and I became roommates in Libertyville, and one day when I came home from work, I heard (b) (6) in (b) (6) room having a sexual encounter with someone. I changed out of my uniform and went to the living room to watch tv, and about 15 minutes later, (b) (6) came out of (b) (6) room and asked me to go to my room for a couple minutes. I told (b) (6) I wouldn't because it's my house and if (b) (6) going to bring someone into it, then they need to be okay with you having a roommate because I won't be hiding in my room each time. (b) (6) said "(b) (6) I know you know who it is but (b) (6) doesn't know that you know, so I need you to go to your room so (b) (6) can leave. You don't have to be in there longer than a minute, but as my best friend I need you to go in there long enough for (b) (6) to walk out of my room and out the side door." So I went to my room and when I came out a few seconds later, (b) (6) had walked out the side door and was walking to (b) (6) car parked across the street. (b) (6) got into a white jeep grand Cherokee with dark tinted windows. (b) (6) later stated to me that that was not the first time (b) (6) had been over to the house. The other time (b) (6) had been over, (b) (6) stated that (b) (6) knew I wasn't going to be home so that was something they didn't have to worry about. (b) (6) talked to me here and there about what was going on with them and said (b) (6) didn't know if (b) (6) could be with (b) (6) anymore. (b) (6) wanted to be with someone who (b) (6) could be more comfortable with. (b) (6) said to me that (b) (6) felt like something was off with (b) (6) but couldn't really put (b) (6) finger on it. (b) (6) felt that (b) (6) had gay tendencies that we weird and didn't want to be with a guy like that, but (b) (6) would have sex with (b) (6) again to try to figure out what (b) (6) thought was so weird about it. (b) (6) liked to go back and forth with (b) (6) like (b) (6) was a game to (b) (6) and (b) (6) would say things like "I can't do this with you anymore. I don't like this arrangement." Then an hour later (b) (6) would be texting (b) (6) and they would be seemingly getting along fine. (b) (6) really protective of (b) (6) feelings and would rather shove someone away than risk getting hurt by them. (b) (6) also stated many times that (b) (6) did really like (b) (6) and has feelings for (b) (6) but knows the position (b) (6) put (b) (6) in because (b) (6) a chief and its fraternization.

(b) (6)

DEPARTMENT OF THE NAVY
VOLUNTARY STATEMENT

1. PLACE

Recruit Training Command, 6th Fleet LCPO Office

2. DATE

16 Nov 2018

I, (b) (6)(b) (6)(b) (6), make the following

free and voluntary statement to (b) (6)(b) (6)(b) (6)

whom I know to be Command Investigator for fraternization allegations between (b) (6) and (b) (6)(b) (6)

I make this statement of my own free will and without any threats or promises extended to me. I fully understand that this statement is given concerning my knowledge of

I have provided text messages between (b) (6)(b) (6) and myself which show (b) (6) and (b) (6)(b) (6) were having a relationship. (b) (6) and I are roommates and in late August I noticed that (b) (6) was, very often, texting with someone named (b) (6)(b) (6) in (b) (6) phone. At that time, I asked (b) (6) who it was. (b) (6) said it was someone at the command and that I knew (b) (6) so (b) (6) didn't want to tell me.

In late July (b) (6) was having a tough time while working at Ship 05. (b) (6) told me about running into (b) (6)(b) (6) while walking on base at RTC and (b) (6) noticed (b) (6)(b) (6) looked like (b) (6) was feeling down. (b) (6) told (b) (6) that if (b) (6) needed to talk about what was going on that (b) (6) could give (b) (6) a call. This is when they exchanged numbers. After that (b) (6) would talk about (b) (6) a lot with me saying how nice (b) (6) was and about how (b) (6) cared about (b) (6) situation. For a period of time (b) (6) talked about (b) (6) quite often and then all of a sudden (b) (6) just stopped talking about (b) (6). In my text message on 14Aug18 I guessed who (b) (6) was based on the fact that (b) (6) stopped talking about (b) (6). (b) (6) confirmed that it was (b) (6)(b) (6). During their relationship together (b) (6) would send me screen-shots of text messages between (b) (6) and (b) (6)(b) (6). On 15Aug18 (b) (6) sent me a text saying (b) (6) was headed out to meet (b) (6) quick. On 23Aug18 (b) (6) sent me a screen-shot of a message between them talking about how (b) (6) didn't think (b) (6) was going to be okay with their arrangement and they should stop, but (b) (6) wanted to continue seeing (b) (6). (b) (6) and I then talked about it in text the same day. On 01Oct18 (b) (6) sent me another screen-shot of a text BMC sent (b) (6) talking about the status of their relationship. In this screen-shot (b) (6) removed (b) (6) from being called (b) (6) in (b) (6) phone and it displayed (b) (6) phone number. On 04Oct18 I was getting home from work and I noticed (b) (6)(b) (6)(b) (6) car parked across the street. I know (b) (6) drives a white Jeep Grand Cherokee with dark tinted windows. When I walked in our apartment I could hear (b) (6) having sex in (b) (6) room. It was very loud so I put my headphones in and listened to music so I didn't have to hear them. I then turned on the TV and turned the volume up to cover the noise. About 15 minutes later (b) (6) came out of (b) (6) room and asked me to go to my room so (b) (6) could leave. I told (b) (6) I wouldn't because it's my house too and if (b) (6) going to bring someone into it, then they need to be okay with (b) (6) having a roommate because I won't go hide in my room each time. MA1 told me "I know you know who it is, but (b) (6) doesn't know that you know, so I need you to go into your room so (b) (6) can leave. You don't have to be in there longer than a minute, but as my best friend I need you to go in there long enough for (b) (6) to walk out of my room and out the side door." So I went to my room and when I came out a few seconds later (b) (6)(b) (6) was walking to (b) (6) parked car across the street. (b) (6) later stated to me that was not the first time that (b) (6) had been over to our house. (b) (6) said the other time (b) (6) was over (b) (6) knew I wasn't going to be home. In a text chain between MA1 and I on 07Oct18, we argued about our living arrangements and in this text I talked about the encounter from 04Oct18. On 18Oct18 (b) (6) sent me another screen-shot of a message from (b) (6)(b) (6) where (b) (6) was being apologetic and discussing (b) (6) feelings for (b) (6). In this message (b) (6) changed (b) (6) name to (b) (6) because (b) (6) had betrayed (b) (6) trust. On 23Aug18 we again discussed our living arrangements and (b) (6) stated to me that I had no business discussing (b) (6) personal life to anyone.

Follow on questions by (b) (6)(b) (6)

1. Why are you reporting this now and not when you first found out about their relationship?

- I didn't report it at first because I didn't want to hurt anyone or get anyone in trouble. The longer time went on, I realized within myself that I didn't feel right because I was having a moral struggle. I realized that even though I didn't want to get anyone in trouble, the Navy's policy, following the rules, and my integrity meant more to me than it did to the other two involved.

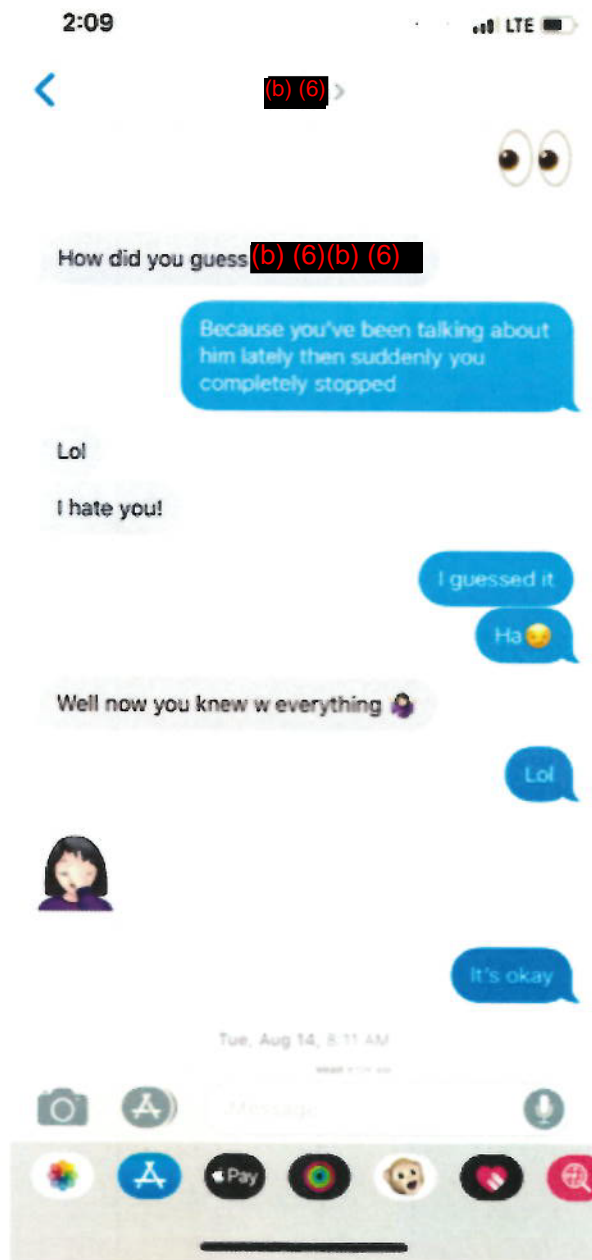
2. In the text from 23Oct18 there is discussion between you and (b) (6) about you telling another person about MA1's relationship with (b) (6)(b) (6). Did you discuss their relationship with anyone else?

- I did not.

3. Do you know of anyone else that knows about the relationship between (b) (6) and (b) (6)(b) (6)?

- (b) (6) discussed some aspects of (b) (6) relationship with (b) (6)(b) (6)

(b) (6)



11:20



(b) (6)

Wed, Aug 15, 4:50 PM

I took a nap

Lazy!

I know

What're you doing?

Headed out to meet (b) (6) really quick and that's it. What time you headed to the concert?

I don't know

Are you going or no?

Maybe not

Why???

It depends on traffic and if I feel like it

What time is it

8



iMessage



- SCREEN SHOT SENT 23 AUG 18



2:14

LTE



(b) (6)



Thu, Aug 23, 8:44 AM

Today 8:44 AM

I don't think I'm going to be okay with this "arrangement" so I think we should just stop this here... Enjoy your day and maybe we'll talk again some other time.

Sent as Text Message

Why wouldn't you see me today?

What's wrong? Did something happen?

I don't know what changed, but I don't want to stop seeing you... but if you really want to stop then I'll leave it alone

And I really do want to see you

I want to see you today too... I just don't know how to explain to you what changed to make me feel the way I do and it sucks...

Delivered

Text Message

Today 8:44 AM

I don't think I'm going to be okay with this "arrangement" so I think we should just stop this here... Enjoy your day and maybe we'll talk again some other time.

Sent as Text Message

Why wouldn't you see me today?

What's wrong? Did something happen?

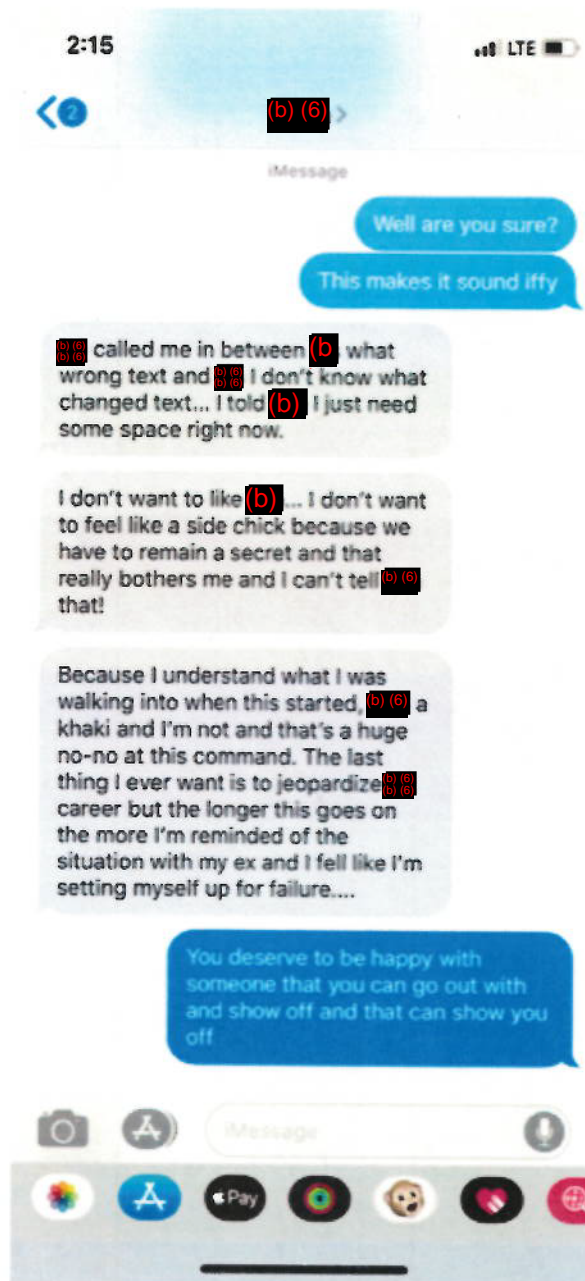
I don't know what changed, but I don't want to stop seeing you... but if you really want to stop then I'll leave



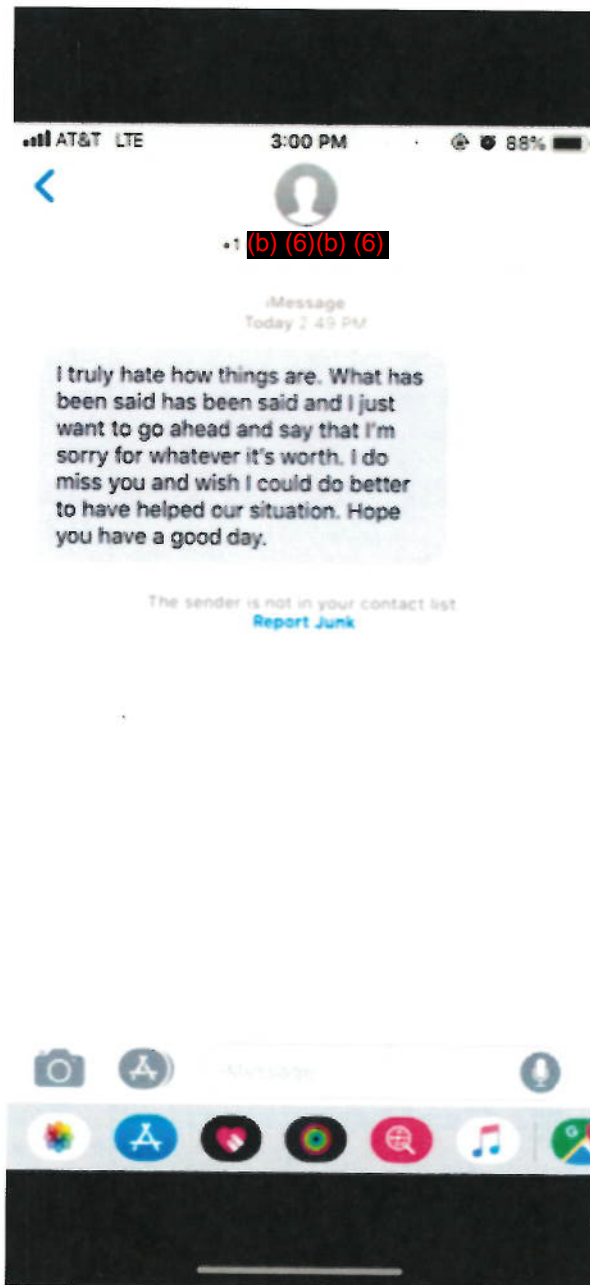
Message

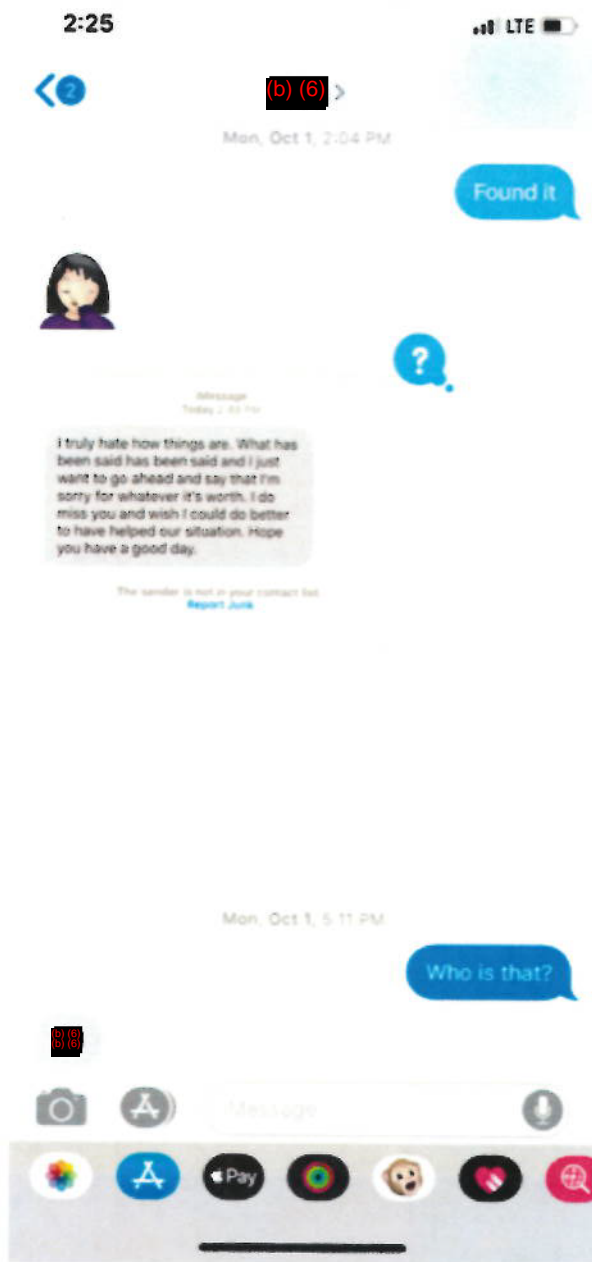


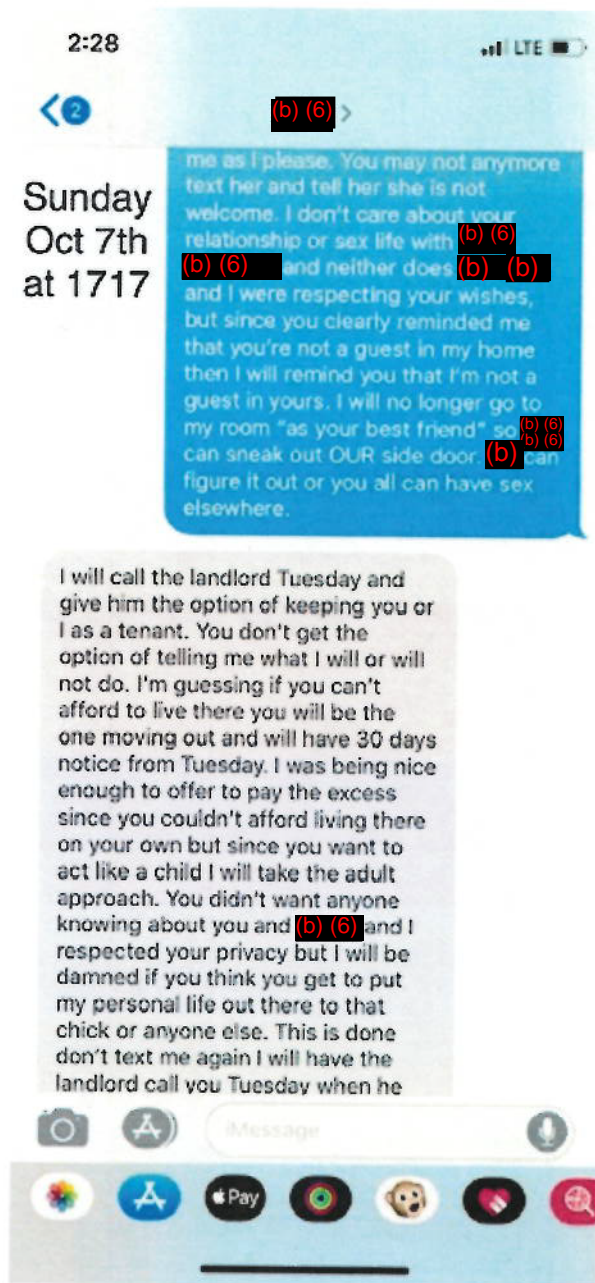
THURS AUG 23RD - DISCUSSION ABOUT SUBEN SHOT SENT



- SCREEN SHOT 01 OCT 18 WITH (b) (6)(b) (6) #









Enclosure (4)

2:34

LTE



(b) (6)

Thu, Oct 18, 11:01 AM

Okay, I just want to apologize for upsetting you and hurting you. I know you said you can't hate me because then that means you actually care. Well I just want to apologize sincerely. I'm not great with words, and as you know I shut down with any conflict. I am not proud or on a high horse about my fair share of mistakes I have made in my past. Granted they are my past and unfortunately you had to hear some shit from a third party and not from me. I understand, that I wasn't just up front about it with you, but I also just wanted to forget about it. It was 10 months ago and definitely was not one of my proudest moments of something I care to relive. I have many regrets about my life. I'm not perfect, never claimed to be, but there have been things that I wish could be undone and forgotten and it is what it is. When we started talking there was no agenda, stuff just started happening. Something I won't regret or forget except for hurting you. Again, I'm very sorry for

This was this morning

Aww that's sad

Sent as Text Message

Yup

Because when I asked (b) (6) lied. I'm not okay with that.

Yeah but you're not trying to date or marry him. Your just fuckin



2:34

LTE



(b) (6)

Yup

Because when I asked (b) (6) lied. I'm not okay with that.

Yeah but you're not trying to date or marry him. Your just fuckin

I can't fuck someone I can't trust

Told you, trust is a HUGE thing for me...

Okay



OCT 23rd

3:24

LTE



(b) (6)

I'm not lonely, at all. Your terrible attitude and hate for everyone has pushed me away. So I'm fine with you going

And (b) (6) not a chick I'm fucking, (b) (6) someone who I care about and since you suddenly hate (b) (6) then idk what to tell you

My attitude with you for not respecting boundaries, DEFINITELY! We just had a talk about living arrangements and three of the four days since you've had company over. You're so happy to be in a relationship you forget about everything else. I'm glad you finally found someone that doesn't treat you like shit and you want to embrace it but that doesn't mean (b) (6) has to be over the house every single day.

I will be gone on leave for a week you are welcome to play house while I'm gone and continue once I move out.

You had no right to tell (b) (6) my personal business of who I was fucking just because you were finally fucking, that's ridiculous!



FULL NAME (ACCUSED/SUSPECT) (b) (6)(b) (6)		SSN (b) (6)	RATE/RANK (b) (6)	SERVICE (BRANCH) USN
ACTIVITY/UNIT RECRUIT TRAINING COMMAND			DATE OF BIRTH (b) (6)	
NAME (INTERVIEWER) (b) (6)(b) (6)		SSN (b) (6)	RATE/RANK (b) (6)	SERVICE (BRANCH) USN
ORGANIZATION RECRUIT TRAINING COMMAND			BILLET 60th FLT LPO	
LOCATION OF INTERVIEW 60th FLT COR'S OFFICE, RECRUIT TRAINING COMMAND			TIME 1120	DATE 20/NOV/18

I certify and acknowledge by my signature and initials set forth below that, before the interviewer requested a statement from me, he warned me that:

with (b) (6)(b) (6)

(5) I have the right to have such retained civilian lawyer and/or appointed military lawyer present during this interview.

I further certify and acknowledge that I have read the above statement of my rights and fully understand them, and that, _____

(4) I expressly do not desire to have such lawyer present with me during this interview; and - - -

enclosure (5)

(5) This acknowledgment and waiver of rights is made freely and voluntarily by, and without any promises or threats having been made to me or pressure or coercion of any kind having been used against me.-----



SIGNATURE (ACCUSED/SUSPECT)	TIME	DATE
(b) (6)(b) (6)(b) (6)(b) (6)(b) (6)	1129	20 Nov 18
SIGNATURE (INTERVIEWER)	TIME	DATE
(b) (6)(b) (6)	1129	20 Nov 18
	TIME	DATE

The statement which appears on this page (and the following ____ page(s), all of which are signed by me), is made freely and voluntarily by me, and without any promises or threats having been made to me or pressure or coercion of any kind having been used against me.

SIGNATURE (ACCUSED/SUSPECT)

SUSPECT'S RIGHTS ACKNOWLEDGEMENT/STATEMENT (See JAGMAN 0170)

FULL NAME (ACCUSED/SUSPECT)	SSN	RATE/RANK	SERVICE (BRANCH)
(b) (6)(b) (6)	(b) (6)	(b) (6)	USNR
RECRUIT TRAINING COMMAND			DATE OF BIRTH
			(b) (6)
NAME (INTERVIEWER)	SSN	RATE/RANK	SERVICE (BRANCH)
(b) (6)(b) (6)(b) (6)(b) (6)		(b) (6)	USN
ORGANIZATION	BILLET		
RECRUIT TRAINING COMMAND	USN		
LOCATION OF INTERVIEW	TIME	DATE	
6TH FLT LCDR OFFICE	1835	20 NOV 10	

RIGHTS

I certify and acknowledge by my signature and initials set forth below that, before the interviewer requested a statement from me, he warned me that:

(1) I am suspected of having committed the following offense(s): FRATERNIZATION
WITH (b) (6)(b) (6)

(2) I have the right to remain silent; -----

(3) Any statement I do make may be used as evidence against me in trial by court-martial. -----

(4) I have the right to consult with lawyer counsel prior to any questioning. This lawyer counsel may be a civilian lawyer retained by me at my own expense, a military lawyer appointed to act as my counsel without cost to me, or both; and -----

(5) I have the right to have such retained civilian lawyer and/or appointed military lawyer present during this interview. -----

WAIVER OF RIGHTS

I further certify and acknowledge that I have read the above statement of my rights and fully understand them, and that, -----

(1) I expressly desire to waive my right to remain silent; -----

(2) I expressly desire to make a statement; -----

(3) I expressly do not desire to consult with either a civilian lawyer retained by me or a military lawyer appointed as my counsel without cost to me prior to any questioning; -----

(4) I expressly do not desire to have such lawyer present with me during this interview; and -----

(b) (6)
(b) (6)
(b) (6)
(b) (6)
(b) (6)
(b) (6)
(b) (6)
(b) (6)
(b) (6)
(b) (6)
(b) (6)
(b) (6)

(5) This acknowledgment and waiver of rights is made freely and voluntarily by, and without any promises or threats having been made to me or pressure or coercion of any kind having been used against me:-----

(b) (6)(b) (6)(b) (6)	TIME	DATE
	1035	20 NOV 18
(b) (6)(b) (6)(b) (6)	TIME	DATE
	1035	20 NOV 18
SIGNATURE (WITNESS)	TIME	DATE

The statement which appears on this page (and the following ____ page(s), all of which are signed by me), is made freely and voluntarily by me, and without any promises or threats having been made to me or pressure or coercion of any kind having been used against me.

SIGNATURE (ACCUSED/SUSPECT)